

## **Constitutional Amendment to Article IV, Section 17, Relating to Recall of Elected State Officers**

BE IT RESOLVED BY THE PEOPLE OF THE STATE OF MISSOURI THAT THE CONSTITUTION BE AMENDED:

Section 17 of article IV of the Constitution of Missouri is amended by adding Section 17(B). The new section includes the following underlined language:

### MISSOURI CONSTITUTION

#### Section 17(b.) RECALL Elective State Officers

All political power is inherent in the people. Government is instituted for their protection, security, and benefit, and they have the right to alter or reform it when the public good may require. A voter who casts a vote in an election in accordance with the laws of this State shall have that vote counted.

Recall is the power of the electors to remove an elective officer. Recall of a state officer is initiated by delivering to the Secretary of State a petition alleging reason for recall. Sufficiency of reason is not reviewable. Proponents have 160 days to file signed petitions.

A petition to recall a statewide officer must be signed by electors equal in number to 12 percent of the last vote for the office, with signatures from each of 5 counties equal in number to 1 percent of the last vote for the office in the county.

The Secretary of State shall maintain a continuous count of the signatures certified to that office. An election to determine whether to recall an office and, if appropriate, to elect a successor shall be called by the Governor and held not less than 60 days nor more than 80 days from the date of certification of sufficient signatures.

A recall election may be conducted within 180 days from the date of certification of sufficient signatures in order that the election may be consolidated with the next regularly scheduled election occurring wholly or partially within the same jurisdiction in which the recall election is held, if the number of voters eligible to vote at the next regularly scheduled election equal at least 50 percent of all the voters eligible to vote at the recall election.

If the majority vote on the question is to recall, the officer is removed and, if there is a candidate, the candidate who receives a plurality is the successor. The officer may not be a candidate, nor shall there be any candidacy for an office filled pursuant to subdivision (d) of Section 16 of Article VI.

The Legislature shall provide for circulation, filing, and certification of petitions, nomination of candidates, and the recall election. If recall of the Governor or Secretary of State is initiated, the recall duties of that office shall be performed by the Lieutenant Governor or Controller, respectively. A state officer who is not recalled shall be reimbursed by the State for the officer's recall election expenses legally and personally incurred. Another recall may not be initiated against the officer until six months after the election. The Legislature shall provide for recall of local officers. This section does not affect counties and cities whose charters provide for recall.